

HOUSE BILL 1175

F3, K1

2lr3249

By: **Howard County Delegation**

Introduced and read first time: February 10, 2012

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Workers’ Compensation – Students in Unpaid Work–Based**
3 **Learning Experiences**

4 **Ho. Co. 9–12**

5 FOR the purpose of authorizing the Howard County Board of Education to waive the
6 requirement that a participating employer reimburse the county for the cost of
7 certain workers’ compensation insurance coverage for students placed in unpaid
8 work–based learning experiences; and generally relating to the waiver of
9 workers’ compensation reimbursement in connection with unpaid work–based
10 learning experiences.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 7–114
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2011 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Labor and Employment
18 Section 9–228(c)
19 Annotated Code of Maryland
20 (2008 Replacement Volume and 2011 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Education**

24 7–114.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) In this section the following words have the meanings indicated.

2 (2) “Private noncollegiate institution” means a school or other
3 institution that is not under the general control and supervision of a county board of
4 education.

5 (3) “Unpaid work–based learning experience” means a program that
6 provides a student with structured employer–supervised learning that:

7 (i) Occurs in the workplace;

8 (ii) Links with classroom instruction;

9 (iii) Is coordinated by a county board or private noncollegiate
10 institution; and

11 (iv) Is conducted in accordance with the terms of an individual
12 written work–based learning agreement between the county board of education or
13 private noncollegiate institution placing a participating student and the employer of
14 that participating student.

15 (b) A student who has been placed with an employer in an unpaid
16 work–based learning experience coordinated by a county board or private
17 noncollegiate institution is a covered employee of that employer, as defined in Title 9
18 of the Labor and Employment Article, for the purposes of coverage under the State
19 workers’ compensation laws.

20 (c) (1) The participating employer where a student is placed in an unpaid
21 work–based learning experience under this section shall secure workers’ compensation
22 coverage for that student.

23 (2) The participating employer may satisfy its obligation to secure
24 workers’ compensation coverage under this subsection if the county board or private
25 noncollegiate institution that places the student in the unpaid work–based learning
26 experience chooses to secure workers’ compensation coverage for that student.

27 (d) (1) The county board or private noncollegiate institution that places a
28 student with an employer in an unpaid work–based learning experience under this
29 section may secure workers’ compensation coverage for that student.

30 (2) Subject to subsection (e) of this section, if a county board or private
31 noncollegiate institution chooses to secure workers’ compensation coverage under this
32 subsection, the participating employer shall reimburse the county board or private
33 noncollegiate institution in an amount equal to the lesser of:

34 (i) The cost of the premium for the workers’ compensation
35 insurance coverage; or

1 (ii) A fee of \$250.

2 (e) The Allegany County Board [and], the Cecil County Board, **AND THE**
3 **HOWARD COUNTY BOARD** may waive the requirement for reimbursement under
4 subsection (d)(2) of this section.

5 **Article – Labor and Employment**

6 9–228.

7 (c) (1) A student is a covered employee when the student has been placed
8 with an employer in an unpaid work–based learning experience coordinated by a
9 county board or private noncollegiate institution under § 7–114 of the Education
10 Article.

11 (2) For purposes of this title, the employer for whom the student
12 works in the unpaid work–based learning experience is the employer of that student.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2012.